

REMARKS

Claims 1-9 are pending and under consideration. Claims 1, 3, 4, 6, 8, and 9 have been amended. Support for the claim amendments can be located at page 7, lines 23-25, page 8, lines 12-17, and page 11, lines 18-19 of the specification of the present invention.

Claims 3-4 were objected to due to various informalities. Applicants have amended the claims. Therefore, withdrawal of the objection is respectfully requested.

Claims 6, 8, and 9 were rejected under 35 U.S.C. § 101 due to the claimed invention allegedly being directed to non-statutory subject matter. Applicants have amended claims 6, 8, and 9. Therefore, withdrawal of the rejection is respectfully requested.

Claim 4 was rejected as allegedly being indefinite. Applicants have amended claim 4. Therefore, withdrawal of the rejection is respectfully requested.

Claims 1-2 and 4-9 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,085,298 (Ohran).

Ohran relates to a system and method for comparing mass storage devices. Generally, a mass storage device is subdivided into data blocks representing physical storage locations of some particular size. For each one (or group) of data block(s), a digest is calculated, wherein the digest is an alternate representation of the data stored within the data block(s). A digest is highly dependent on the data it represents such that different data is extremely likely to result in different digests. According to Ohran, this high dependence allows for comparing digests rather than directly comparing the data stored at each data block. Furthermore, by calculating a digest that requires fewer bits than the data block(s) it represents, the amount of data that must be transferred between mass storage devices during comparison is minimized, according to Ohran.

Ohran is characterized in calculating digests for the primary data and the backup data and determining whether the primary data is altered by comparing the digests for the primary data and the backup data.

In contrast to Ohran, the present invention includes a back-up unit that copies original data from an original data storage unit to a back-up data storage unit as back-up data without checking alteration of the original data. The invention also includes an alternation checking unit that, after copying of the original data as back-up data is over, decides whether the original data has been altered based on original data stored in the original data storage unit. The user is then notified of the decision regarding alteration.

More specifically, the present invention determines whether the original data is altered by neither comparing the original data and the backup data nor comparing digests for them. Rather, in contrast to Ohran, the present invention determines whether the original data is altered by referring to the original data stored in the original data storage unit, as recited in claim 1, for example.

Therefore, currently amended independent claims 1, 6, and 8 are patentable over the references, as Ohran fails to disclose the above-identified feature of the present invention. As dependent claims 2-5, 7, and 9 depend from respective independent claims, the dependent claims are patentable over the references for at least the reasons presented for the independent claims.

As Innan does not cure the deficiencies of Ohran, claim 3, via claim 1, is patentable over the combination of references, as neither Ohran nor Innan, alone or in combination, discloses or suggests the above-identified feature of claim 1, for example.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

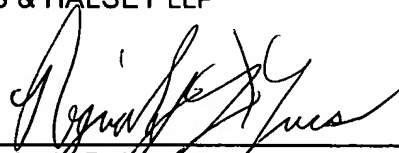
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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